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PTO/SB/05 (11-00)
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UTILITY PATENT APPLICATION TRANSMITTAL

Attorney Docket No. 342312003401

First Inventor John R. SCHWIER

Title PROCESSES FOR MAKING PHARMACEUTICAL ORAL EC8 FORMULATIONS AND COMPOSITIONS

Express Mail Label No. EL569252617US

Only for new nonprovisional applications under 37 CFR 1.53(b)

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

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Date of Deposit: August 29, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Tamara Venegas

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

1. ☒ Fee Transmittal Form (e.g. PTO/SB/17) - 2 pages

(Submit an original, and a duplicate for fee processing)

2. ☐ Applicant claims small entity status.

See 37 CFR 1.27.

3. ☒ Specification (Total Pages)

(Preferred arrangement set forth below)

- Descriptive title of the invention
- Cross Reference to Related Applications
- Statement Regarding Fed Sponsored R & D
- Reference to sequence listing, a table, or a computer program listing appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure

4. ☐ Drawing(s) (35 USC 113) (Total Sheets)

5. ☐ Oath or Declaration (Total Pages)

a. ☐ Newly executed (original or copy)

b. ☐ Copy from a prior application (37 CFR 1.63(d))

(for continuation/divisional with Box 16 completed)

i. ☐ DELETION OF INVENTOR(S)

Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.53(a)(2) and 1.33(b)

6. ☒ Application Data Sheet. See 37 CFR 1.76 - 2 pages

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)

8. ☐ Nucleotide and/or Amino Acid Sequence Submission

(If applicable, all necessary)

a. ☐ Computer Readable Form (CRF)

b. Specification Sequence Listing on:

i. ☐ CD-ROM or CD-R (2 copies); or

ii. ☐ paper

c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PAGES

9. ☐ Assignment Papers (cover sheet & document(s))

10. ☐ 37 CFR 3.73(b) Statement (where there is an assignee) ☐ Power of Attorney

11. ☐ English Translation document (if applicable)

12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations

13. ☒ Preliminary Amendment - 3 pages

14. ☒ Return Receipt Postcard (MPEP 503)

Should be specifically itemized

15. ☐ Certified Copy of Priority Document(s)

(if foreign priority is claimed)

16. ☐ Request and Certification under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.

17. ☐ Other

18. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)

of prior application No. PCT/US00/05547

Prior continuation information:

Examiner's note

Group / Art Unit: n/a

FOR CONTINUATION OR DIVISIONAL APPS ONLY: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. This incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label



25226

PATENT TRADEMARK OFFICE

or ☐ Correspondence address below

(Insert Customer No. or Attach bar code label here)

Name Madeline I. Johnston

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Name (Print/Type) Madeline I. Johnston

Registration No. (Attorney/Agent)

36,174

Signature

Date August 29, 2001

FEE TRANSMITTAL FOR FY 2001

Patent fees are subject to annual revision.

Complete if Known

Application Number	To Be Assigned
Filing Date	Herewith
First Named Inventor	John R. SCHWIER
Examiner Name	To Be Assigned
Group Art Unit	To Be Assigned
Attorney Docket No.	342312003401

TOTAL AMOUNT OF PAYMENT

(\$)**1,268.00**

METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number **03-1952**
 Deposit Account Name **Morrison & Foerster LLP**

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17
☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit Card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	710
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1) (\$)**710**

2. EXTRA CLAIM FEES

Total Claims	51	-20** =	31	x	18	=	\$ 558
Independent Claims	2	-3** =	0	x	80	=	\$ 0
Multiple Dependent			270	=	\$ 0		

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claims, if not paid
109	80	209	40	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)**558**

** or number previously paid, if greater; For reissues, see above.

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (for reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions of the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of Information	
581	40	581	40	Disclosure Limit	
146	710	246	355	Recording each patent assignment per properties (times number of properties)	
149	710	249	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
179	710	279	355	For each additional invention to be examined (37 CFR § 1.129(b))	
169	900	169	900	Request for Continued Examination (RCE)	
				Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)**0**

SUBMITTED BY

Name (Print/Type) **Madelin I. Johnston**

Registration No. (Attorney/Agent)

36,174

Complete if applicable

Telephone **(650) 813-5840**

Signature

Madelin I. Johnston

Date **August 28, 2001**

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-3038.

Shorter Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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